



**U.S. DEPARTMENT OF COMMERCE**  
National Oceanic and Atmospheric Administration  
National Marine Sanctuary System  
Stellwagen Bank National Marine Sanctuary  
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10SAC MINUTES

10<sup>th</sup> SANCTUARY ADVISORY COUNCIL MEETING  
The Radisson Hotel Rockland, MA  
10 February 2004

**MINUTES OF MEETING**

**PRESENT**

William Adler	Member: Fixed Gear Commercial Fishing
Regina Asmutis	(Alternate to Susan Farady)
Peter Borrelli	Member: Education
Gib Chase	(Alternate to Pricilla Brooks)
Susan Farady	Member: Conservation
Barry Gibson	Member: Recreation
Jerry Hill	Member: Whale Watching
CDR Greg Hitchen	(Ex-Officio Member)
Porter Hoagland	(Alternate to Mason Weinrich)
Donald Hourihan	(Alternate to John Williamson)
Paul Howard	(Ex-Officio Member)
Jack Kent	Member: Business/Industry
Judith Pederson	(Alternate to Peter Auster)
David Pierce	(Designee for Paul Diodati) (Ex-Officio Member)
Kathi Rodriguez	(Designee for Patricia Kurkul) (Ex-Officio Member)
Mason Weinrich	Member: Research
Dick Wheeler	Member: At-Large
John Williamson	Member: At-Large

**SBNMS and NATIONAL PROGRAM STAFF**

Craig MacDonald, Superintendent	Ben Haskell	Dave Wiley
Nathalie Ward	Anne Smrcina	Ed Lindelof, NMSP
Matt Brookhart, NMSP	David Hall, NMSP	Dede Marx
Matthew Lawrence		

**OTHERS PRESENT**

David Dixon	Kate Smukler	Stacie Koslovsky
Ramie Holmquist		



## **I. Welcome and Approval Minutes (John Williamson)**

- Approval of 9th SAC Minutes (**MOTION**)
- Review of Agenda: Accepted.

## **II. SAC Business (Nathalie Ward)**

### SBNMS Council Recruitment

Ward reminded the Council that the current SAC membership term expires 20 March 2004 and deadline for applications are 20 February 2004. Incumbent members were encouraged to reapply.

### Alternates Role and Participation

It was requested that Alternates status at meetings be elevated to include increased participation and visibility at SAC meetings; and it was noted that Alternates play a major role in Management Plan Review (MPR) Working Groups (WG)—subcommittees of the SAC. It was requested that comments of Alternates should be on record (e.g., SAC Minutes).

### SAC Retreat

Membership suggested that a SAC Retreat in September might be a productive means to discuss MPR Action Plans (AP) {e.g., a two or three day 12<sup>th</sup> SAC meeting to discuss APs}.

### Other Business

The Council agreed that future SAC meeting documents will be emailed to SAC members; hard copies will not be provided except when new issues are brought forth at the meeting. Additionally, some hard copies will be provided for the public.

## **III. Constituent Reports (Members)**

Twenty-minute constituent reports (CR) were instituted, well-received, and a request put forward By membership to continue CRs for future SAC meetings.

- Bill Adler gave an overview of the Fixed Gear Commercial Fishing on SBNMS including the longline, gillnet and lobster fisheries.
- Mason Weinrich presented a report on Marine Mammal Research on SBNMS including a report on North Atlantic right whale reproductive status, an entanglement update re: right whales and humpback whales, other unusual mortality events , by-catch of seal species in fisheries, and a description of the concerns re: the upcoming Large Whale Take Reduction Team (TRT) public comment hearings in May/June.
- Greg Hitchen volunteered to present a Coast Guard constituent report for 11 SAC meeting.

## **IV. SBNMS WG Chair's Presentation (WG Chairs or Team Leads)**

The Chairs/Team Leads gave presentations of WG status including the following: Ecosystem-Based Management (EM), Ecosystem Alteration (EA), Site Characterization (SC), Marine Mammal Entanglement (MME), Marine Mammal Behavioral Disturbance (MMBD), Marine Mammal Ship Strikes (MMSS), Administrative Capacity (ADMIN), Maritime Archeology and Cultural Heritage (MARCH), Water Quality (WQ), Three working groups had not met including:

Education and Outreach (EO), Compatibility Determination (CD), and Inter-Agency (IA). Information discussed included: meetings convened to date vs. total projected, member participation, major agreements reached, stumbling blocks, and timeline. The floor was then open to membership questions. The Chair and Team Lead meeting which followed the 10 SAC meeting (3:00-5:00 P.M.) discussed details of WG logistics/timeline, progress, and concerns. Highlights in WG reports included the following discussion points or questions:

*Ecosystem-Based Management (EM):*

- How was “ecosystem-based management” defined by the WG?
- What is the difference between “unique” and “special” regarding U.S. Congress definition as pertains to SBNNS?
- Noted that the goal of ecosystem-based management is “adaptive management,” which can “fly in the face of bureaucracy as one cannot accomplish management quickly; it is imperative to have ‘data analysis’ is a key component to a Management Plan (MP).

*Ecosystem Alteration(EA):*

- Noted the hardship of maintaining Seat’s representation and participation in WG process. This was a concern for all WGs.

*Marine Mammal Behavioral Entanglement (MME):*

- Biggest stumbling block is NMFS/TRT—concerns as to whether SBNMS would be more stringent than NMFS and noted that there may be two different processes on same track. The MPR should not be restricted by other mandated requirements.

*Marine Mammal Vessel Strikes (MMVS):*

- Group challenged by lack of data and it is the first time a larger category of vessel types are considered.

*Maritime Archeology and Cultural Heritage (MARCH)*

- How to manage and also make users partners in outreach?

*Administrative Capacity and Infrastructure Development (ADMIN)*

- Noted the most pivotal question for the ADMIN WG was to define the need of a Friend’s Group and how best to structure a SBNMS to partner with the National Marine Sanctuary Foundation (NMSF).

Additional queries and statements were:

Q. Are scoping comments taken in as Action Plan objectives for WG discussion?

A. Yes. The suite of public scoping comment concerns specific to each WG are attended to within each WGs Action Plan (AP).

MacDonald discussed the delay in the MPR process due to the “Continuing Resolution,” and the recent contract with Perot Systems to assist with logistics with the MPR

**V. Working Lunch: “Management Plan Review: Media Communication”**

(David Hall, NMSP) Power Point Presentation

**VI. NOAA and Fisheries Regulatory Coordination (Ed Lindelof)**

Ed Lindelof reviewed the legislative history and process of the NMSP regarding fishing and its regulations Within the Sanctuary. He noted:

- the Agency’s official position (See Memo: 20 February 2004 from Michael Weiss, Deputy Director);
- the importance of a periodic review to insure that policies are consistent with emerging issues.

Lindelof continued to discuss the matter of the SBNMS “Fisheries Promise;” subsequent discussion was controversial.

## **VII. SBNMS Charter (Craig MacDonald)**

MacDonald reminded the Council of its opportunity to comment on the SBNMS Charter (renewal March 2004). He noted an example of a revision pertaining to Alternates recently adopted by the programmatic National Marine Sanctuary Advisory Council Charter, under the Operations Section on SubCommittees, reads: (Amendment # 1: handout to SAC)

### **Subcommittees:**

“The Council and the Sanctuary Manager may establish such subcommittees as necessary to fulfill the Council’s duties. Subcommittees shall be composed solely of members of the Council; *at the Manager’s discretion, alternates may also serve on subcommittees.* *The subcommittee must be chaired by a primary member of the Council.* Subcommittees shall be recognized as official subunits of the Council and are subject to all requirements of the Charter. ... (Bold, italics is amended language).

***MOTION to adopt suggested Alternate revisions in SBNMS Charter.***

## **VI. National Marine Sanctuaries Act: Reauthorization**

MacDonald summarized the status of Council’s NMSA Reauthorization comments to NMSP regarding the letter sent to Basta by Peter Borelli on behalf of the Council’s input, and the response by Basta to the Council. Both communications were emailed to SAC previously.

## **VII. Other Business**

1. Future Council Dates
2. Amendment 13 Letter from SBNMS to NEFMC discussed.

## **IX. Public Comment — None.**

## **X. Adjourn: SAC Chair and Team Lead Meeting (3:15 – 5:30 PM)**

## ***SUMMARY of MOTIONS***

- ***MOTION made to approve 8<sup>th</sup> SAC Minutes.***
- ***MOTION made to adopt Working Group Reference Documents to function as Working Group guidelines***
- ***MOTION made that if two-thirds of the WG were strongly against a recommendation, it should be record as a “minority report” accompanied by a strong rationale.*** (Vote: 5 for/ 2 against/ 1 abstention).
- ***MOTION to adopt suggested Alternate revisions in SBNMS Charter.***

